Applicant : Taher ELGAMAL et al.   Attorney's Docket No.: 06975-193002 / Security 20-
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REMARKS

In response to the final office action of February 8, 2006, applicants asks that all claims be allowed in view of the following remarks.

Claims 31-34, 36-43 and 45-48 are now pending, of which claims 31 and 40 are independent. No claims have been amended or added. No new matter has been added.

Drews in View of Perona Rejection

The Final Office Action rejected claims 31, 36-40, and 45-45 under 36 U.S.C. 103 as being unpatentable over Drews (U.S. Patent No. 6,647,494) in view of Perona (U.S. Patent No. 6,671,809). Applicants submit that independent claims 31 and 40 each define an invention that is patentable over Drews, Perona, or any valid combination of the references, as described more fully below.

Independent Claim 31 dependent claims 36-39

Claim 31 is directed to a method for controlling functions of an application program. The method includes accessing a policy file that includes an attribute portion configured to store one or more policy attributes and a value portion having one or more attribute values. Each attribute value corresponds to a policy attribute and indicates whether an application program may access the function represented by the policy attribute. Each policy file includes a signature portion with at least one digital certificate. The method includes determining whether the policy file is unaltered based on the signature portion of the policy file. The method also includes retrieving at least one of the attributes, and, for each retrieved attribute, an attribute value corresponding to the attribute from the policy file. The method further includes determining whether a function represented by a retrieved attribute is permitted to be accessed by the application program and permitting the application program to access the function conditioned upon a determination that the policy file is unaltered.

Applicants submit that neither Drews, Perona, nor the proposed combination of Drews and Perona discloses or suggests the features of claim 31. Neither Drews, Perona, nor any valid combination of the references describe or suggest the limitations of (1) each attribute value indicating whether an application program may use a function capable of being performed by the

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application program, and (2) determining whether a function represented by a retrieved attribute is permitted to be accessed by the application program.

With respect to feature (1), Applicant's response to the Final Action pointed out that the Final Office Action did not specifically address the claim limitation of each attribute value indicating whether an application program may use a function capable of being performed by the application program. The Advisory Action responded by stating:

> **Drews discloses each attribute value corresponding to a policy attribute and indicating whether an application program may use a function capable of being performed by the application program (column 4 line 56 to column 5 line 45).**
> **...**
> **Perona discloses attribute values that indicate whether an application program may use a function capable of being performed bye the application program (column 6 lines 15-23)**

Applicant respectfully disagrees with the Advisory Action and maintains that Drews fails to disclose each attribute value indicating whether an application program may use a function capable of being performed by the application program. The above citation spans 6 paragraphs and a discussion of 4 figures. Applicant notes that in order to facilitate understanding of the rejection, it would be helpful if the cited portion of Drews particularly pointed out the location the examiner contends discloses the limitation. Although not specifically stated, Applicant assumes that the Advisory Action maintains that the attribute values are disclosed by configurable parameters in Drews at column 4, lines 17-21 as stated in the Final Office Action which do not address the rest of the limitations of the attribute values.[1] Drews, at column 4, lines 17-21, states:

> **Referring to FIG. 4A, request credential manifest 60 preferably includes update token 61, a list of configurable parameters to be updated 62, a list of new values for those configurable parameters 64, and a manifest digital signature 66.**

In Drews, the configurable parameters represent data that is used to replace existing software data, such as BIOS.[2] Alternatively, the claimed limitation specifies that the attribute values indicate whether an application program may use a function. While it is true that through use of a function, the configurable parameters of Drews may be accessed, the configurable

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[1] See Final Office Action, page 2, last paragraph
[2] See Drews, column 1, lines 14-30

parameters are merely the data being read/written after the function has been determined to be used, as opposed to being used for the determination of whether the function may be used in the first place. Consequently, the configurable parameters do not indicate whether an application program may use a function.

With further respect to feature (1), we return to the Advisory Action, and respectfully disagree with the contention that Perona discloses attribute values that indicate whether an application program may use a function capable of being performed bye the application program. Perona, at the cited portion, states:

> **Also, the platform 20 at 66 accesses and checks the integrity of the module 24 by checking the module identification record 50. Subsequently, the platform 20 at 68 checks the integrity of both the application 22 per the application identification record 32 and itself at 70 per the platform rules and configuration information against the module rules record 52 to determine if both the application 22 and the platform 20 meet all requirements of the module 24**

In Perona, the platform 20, the application 22, the module identification record 50, and the module rules record 52 are all parts of a block diagram of system components.[3] The cited portion is seen to show parts and checks of a software system that are used to determine whether requirements/constraints enable modules to be loaded. Alternatively, the claim limitation includes accessing a policy file that includes attribute values indicating whether an application program may use a function capable of being performed by the application program. Client software checking whether its own limitations permit loading of a module is not equivalent to the client software accessing a policy file which includes attribute values indicating whether the application may use the function it is capable of using.

With respect to feature (2), Applicant submits that the cited art is similarly deficient, namely, "determining whether a function represented by a retrieved attribute is permitted to be accessed by the application program." The Final Office Action states:

> **Perona discloses determining whether an application program may use a function capable of being performed by the application program and thus determining whether a function represented by a retrieved attribute is permitted to be accessed by the application program. [See page 3]**

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[3] See Perona, column 2, lines 44-51

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Applicant respectfully disagrees with the contention that determining whether an application program may use a function capable of being performed by the application program is equivalent to determining whether <u>a function represented by a retrieved attribute</u> is permitted to be accessed by the application program. By equating these two distinct limitations, the Final Office Action ignores the retrieved attribute and its function.

Nowhere is the cited portion of Perona (see above) seen to determine whether a function <u>represented by a retrieved attribute</u> is permitted to be accessed by the program. Perona discloses a procedure for software to determine whether its own limitations permit loading of a module. In more detail, Perona's method includes receiving a user request to load and execute the application.[4] After receiving the command to load, the platform checks the contents of itself and the software to be loaded in order to determine whether to complete installation. As such, as opposed to using <u>a retrieved attribute representing the function,</u> as claimed, Perona uses the requirements/constraints stored in the module rules record to enable the platform to determine whether to use a function.[5]

Therefore, claim 31 defines an invention that is patentable over Drews in view of Perona, as do pending dependent claims 36-39. Accordingly, Applicants requests reconsideration and withdrawal of the imposed rejection.

Independent Claim 40 dependent claims 45-48

Similar to claim 31, independent claim 40 recites a policy file that includes attribute values, each attribute value corresponding to a policy attribute and indicating whether an application program may use a function capable of being performed by the application program and determining whether a function represented by a retrieved attribute is permitted to be accessed by the application program. For the reasons above with respect to claim 31, applicants submit that the rejection of independent claim 40 and dependent claim 45-48 should be withdrawn.

Drews in View of Perona Rejection, Further in View of Anderl Rejection

Dependent claims 32-34 and 41-43 are rejected as being unpatentable over Drews in view of Perona, further in view of Anderl (WO 87/07063). Anderl does not cure the failure of Drews

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[4] See Perona, column 5, lines 66-67
[5] See Perona, column 6, lines 11-23

in view of Perona to describe or suggest the subject matter in independent claims 31 and 40, nor is Drew relied upon for such teaching or suggestion. Accordingly, Applicants requests reconsideration and withdrawal of the imposed rejection.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicants submit that all claims are in condition for allowance.

No fee is believed due at this time. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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